

MORIS DAVIDOVITZ, ESQ. (State Bar #70581)
CHARLES BOLCOM, ESQ. (State Bar #193762)
DAVIDOVITZ & BENNETT LLP
One Embarcadero Center, Suite 750
San Francisco, California 94111
Telephone: (415) 956-4800
Facsimile: (415) 788-5948

Atorneys for Defendant and Third Party Plaintiff
CITY OF EUREKA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

KFD ENTERPRISES, INC., a California Corporation dba Norman's Dry Cleaner,) CASE NO. CV-08-4571 MMC
Plaintiff,)
v.)
CITY OF EUREKA,)
Defendant.)

CITY OF EUREKA,)
Defendant and Third-Party Plaintiff,)
v.)
KFD ENTERPRISES, INC., a California Corporation dba Norman's Dry Cleaner, et al.)
STIPULATION AND ORDER TO SHORTEN TIME FOR HEARING ON EXTENDING DEADLINE FOR NAMING KENNETH DAER AS AN INDIVIDUAL DEFENDANT; ORDER [Civil L.R. 7-12] DENYING STIPULATION
DATE: March 12, 2010
TIME: 9:00 a.m.
DEPT: Honorable Maxine M. Chesney Courtroom 7, 19th Floor

Pursuant to Civil L.R. 7-12, defendant and third-party plaintiff City of Eureka and plaintiff KFD Enterprises, Inc. stipulate and request judicial action as follows:

1. The City's motion to extend the deadline of March 12, 2010 to name Kenneth Daer as an individual, third-party defendant will now be heard on shortened notice; the existing

1 hearing date of April 2, 2010 will be changed to March 12, 2010 at 9 a.m.

2 2. KFD will file its opposition by March 9, 2010 at 5 p.m.

3 3. The City waives its right to a written reply but reserves its right to raise reply
4 arguments during the oral hearing on March 12, 2010.

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6 Date: February 23, 2010

DAVIDOVITZ & BENNETT LLP

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8 _____ /s/
9 MORIS DAVIDOVITZ
10 CHARLES H. BOLCOM
11 Attorneys for Defendant and
12 Third-Party Plaintiff CITY OF EUREKA

13 Date: February 23, 2010

(The filer attests that counsel for KFD Enterprises
Inc., Jan Greben, has been advised of these terms
and agrees to them)

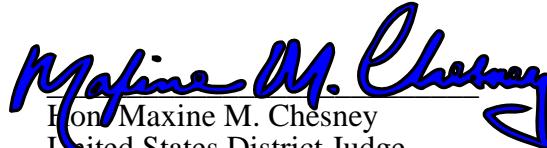
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15 GREBEN & ASSOCIATES

16 _____ /s/
17 JAN GREBEN
18 Attorney for Plaintiff KFD Enterprises, Inc.

~~PURSUANT TO STIPULATION, IT IS SO ORDERED:~~

19 The stipulation is hereby DENIED, and the deadline for naming Kenneth Daer as an
20 individual defendant is hereby EXTENDED to April 5, 2010.

21 Date: February 26, 2010


22 Hon. Maxine M. Chesney
United States District Judge

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